

Remarks

The various parts of the Office Action (and other matters, if any) are discussed below under appropriate headings.

I. Declaration

A Declaration under 37 C.F.R. §1.131 is being submitted with this response. The Declaration establishes a date of invention at least as early as June 17, 2003, which is prior to the filing date of *Nixon et al.* (U.S. Pat. Pub. 2004/0259533 - filing date of June 18, 2003). Accordingly, *Nixon et al.* does not qualify as prior art for the instant application.

II. Claim Rejections - 35 USC § 103

Claims 1-3, 7-10, 14-6, 18-20 and 23-31 stand rejected under 35 USC §103(a) as being unpatentable over *Nixon et al.* in view of *Findikli et al.* (U.S. Pat No. 6,529,727). Claims 4-6, 11-13 and 21-22 stand rejected under 35 USC §103(a) as being unpatentable over *Nixon et al.* in view of *Findikli et al.* in further view of *Rosenberg et al.* (U.S. Pat No. 6,628,934). Claim 17 stands rejected under 35 USC §103(a) as being unpatentable over *Nixon et al.* in view of *Findikli et al.* in further view of *Natsumo* (U.S. Pat. Pub. 2005/0148367). Withdrawal of the rejections is respectfully requested for at least the following reasons.

As noted above, *Nixon et al.*, which is the primary reference relied upon to reject the claims of the present application, does not qualify as prior art. Thus, the Examiner has not established a *prima facie* case of obviousness.

Accordingly, withdrawal of the rejection of claims 1-31 is respectfully requested.

III. Conclusion

In view of the foregoing, request is made for timely issuance of a notice of allowance.

Respectfully submitted,

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